

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

MICHAEL ANTHONY AVINGER,

Defendant.

CASE NO. CR17-0185-JCC

MINUTE ORDER

The following Minute Order is made by direction of the Court, the Honorable John C. Coughenour, United States District Judge:

This matter comes before the Court on the Government's second motion for an extension of time to respond to Mr. Avinger's *pro se* motion for compassionate release (Dkt. No. 61). The Government sought the first extension, in part, to investigate whether Mr. Avinger's daughter is being cared for adequately because Mr. Avinger's motion is premised, in large part, on his allegations that she is not. (*See* Dkt. No. 58 at 1.) After that extension was granted, the Government filed a motion requesting that the Court authorize the Washington State Department of Children, Youth, and Families to release Child Protective Services records that are relevant to the Government's investigation. (*See* Dkt. No. 60.) That motion is noted for consideration on April 23, 2021. (*Id.*) The Government now requests that the Court extend the deadline for it to respond to Mr. Avinger's motion until May 4, 2021, so that the Court can address the pending

1 motion for CPS records and the Government can review the records. (*See* Dkt. No. 61.) The
2 Court also finds that an extension is necessary so that Mr. Avinger has an opportunity to respond
3 to the Government's motion. Having thoroughly considered the motion and the relevant record
4 and finding good cause, the Court GRANTS the motion. The Government shall respond to the
5 motion no later than May 3, 2021. Since the Government seeks to respond to the motion on a
6 Tuesday rather than a Monday, as is standard under the Local Rules, the Court DIRECTS the
7 Clerk to renote Mr. Avinger's motion for compassionate release for consideration on Monday,
8 May 10, 2021. This will allow Mr. Avinger the same amount of time between the response and
9 his reply deadline as is standard under the Local Criminal Rules.

10 DATED this 9th day of April 2021.

11 William M. McCool
12 Clerk of Court

13 s/Paula McNabb
14 Deputy Clerk